

**MINUTES OF THE  
AUBURN CITY HISTORIC DESIGN REVIEW AND PLANNING COMMISSION  
MEETING  
APRIL 17, 2007**

The joint session of the Auburn City Historic Design Review and Planning Commission was called to order on April 17, 2007 at 6:00 p.m. by Chairman Merz in the Council Chambers, 1225 Lincoln Way, Auburn, California.

**COMMISSIONERS PRESENT:** Kosla, Smith, Thompson, Worthington, Briggs, Elder, Kidd, Chrm. Merz

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Will Wong, Community Development Director; Reg Murray, Senior Planner; Steve Geiger, Associate Planner; Sue Fraizer, Administrative Assistant

**ITEM I: CALL TO ORDER**

**ITEM II: PLEDGE OF ALLEGIANCE**

**ITEM III: APPROVAL OF MINUTES – HISTORIC DESIGN REVIEW COMMISSION**

The minutes of the April 3, 2007 meeting were approved as submitted.

**ITEM IV: APPROVAL OF MINUTES – PLANNING COMMISSION**

The minutes of the March 20, 2007 meeting were approved as submitted.

The minutes of the April 3, 2007 meeting were approved as submitted.

**ITEM V: PUBLIC COMMENT**

Betty Jensen, 171 Tennis Way, Auburn informed the Commissioners about an upcoming tour of a co-housing community located in Nevada City on June 2, 2007 from 10 a.m. to noon. She explained what a co-housing development is. She gave the Commissioners a handout for more information.

**ITEM VI:**

**PUBLIC HEARING ITEMS**

- A. **Historic Design Review – 185 Linden Avenue (Frank R. Lewis) – File HDR 07-8.** The applicant requests Historic Design Review approval for illuminated and non-illuminated wall signs located at 185 Linden Avenue. *This item was continued from the April 3, 2007 Historic Design Review Commission hearing to allow the applicant to work with staff on a revised proposal. The applicant has requested a continuance to the May 1, 2007 meeting.*

The continuance request to the May 1, 2007 meeting was granted by the Commission.

- B. **Historic Design Review and Variance – 160 Elm Avenue (Martin Ray – The Car Lot, Inc.) – Files HDR 07-9 and VA 07-4.** The applicant requests Historic Design Review approval to allow “The Car Lot” monument sign located at 160 Elm Avenue previously approved to be constructed of metal to instead be constructed of wood. The proposal also includes design review of a secondary freestanding sign, a wall sign located on the office building, and various promotional signage including flags and pennants. A variance application is also required to allow a second freestanding sign.

Planner Geiger gave the staff report. This project involves two applications. One is for Historic Design Review which will be acted upon by the Historic Design Review Commission. The other is for a variance which will be acted upon only by the Planning Commission.

In June of 2006, the applicant received approval from the Historic Design Review Commission for a freestanding monument sign with a metal face. The sign was actually constructed of wood. The applicant would like approval for the installed wood sign.

In addition, the applicant would like approval for a second freestanding sign located by an existing stairway, also constructed of wood. Because the zoning code allows for one free-standing sign per parcel, approval for this sign would require a variance.

Other signs that the applicant is proposing are a wall sign to be made of metal, six rectangular shaped flags installed on vertical pulls, and triangular pennants.

Staff is not opposed to the change from metal to wood for the monument sign as it is an acceptable material in the Design Guidelines.

With regard to the second free-standing sign, the colors are the same as the approved sign with the same logo. Staff is not opposed to this sign. Currently this freestanding sign is propped against the wall. The applicant would be required to permanently mount the sign to the wall. The 3' x 4' wall sign on the building meets the size requirements of the zoning code, and staff is supportive of that request.

Regarding the flags and banners, the zoning code contains a section which allows for this type of promotional signage for automobile sales only. A condition has been added stating that if any of the flags or pennants become torn or damaged, the applicant will be required to replace them.

The variance is required because the zoning ordinance only allows for one free-standing sign. Staff believes there are special circumstances that are applicable to this property due to the triangular shape, and the long frontage along High Street. Staff believes that granting a variance will not constitute a grant of special privileges to the applicant.

Staff recommends approval of both the Historic Design Review and the Variance.

Comm. Worthington asked why the stone veneer on the monument sign does not go up to the top of the pole.

Planner Geiger replied that the original proposal approved in June 2006 accounted for a base of 33" tall, and the veneer was to stand 5' 9" above the base. The approval was given for the sign to be built as it is, except with metal instead of wood.

The applicant, Martin Ray, 861 Millertown Road, Auburn, stated that he was misled by the real estate agent who told him that he could keep the two previous signs that were there at that time. The reason wood was used for the sign rather than metal is that metal could not be fastened to the pole. He did not realize that changing it would be a problem. He appeared at the first meeting for his application, then the landlord took over

and appeared at the second meeting that was held for his application.

Comm. Merz asked if the landlord was not authorized by Mr. Martin to make any commitment for the sign.

Mr. Ray replied that they could commit to whatever they wanted, however he was not aware that there was a stipulation on the kind of material to be used. The size, lettering and colors were correct.

Comm. Smith asked Mr. Ray why he ignored the letter that was sent to him by Code Enforcement in December of 2006.

Mr. Ray stated that he's unsure what letter is being referred to. He received a letter about the temporary banners, and he removed the banners.

Comm. Smith read the letter, which stated that as a condition of approval for the monument sign, all other signage was required to be removed.

Mr. Ray said the only thing that wasn't removed was the pole, which had lights on it.

Comm. Worthington stated that in her opinion the monument sign is highly visible. She asked why the second freestanding sign is necessary.

Mr. Ray said that he has been told by customers that upon seeing the cars in the lower lot, they were unaware that they needed to go up the stairs to the office located in the lot above if they wished to purchase a car. The sign that has been placed there is to direct people to the upstairs office.

Comm. Briggs said she feels the additional signage is not necessary.

Comm. Merz stated that he feels it was made very clear when the sign was approved that it was to be constructed of metal, and the other signage was to be removed.

The public hearing was closed.

Comm. Kosla said he has a tough time approving this due to the fact that the applicant has first hung the signs, and is now asking for approval of them. Additionally, the monument sign is not what he had envisioned.

Comm. Thompson stated that she was in attendance at the previous meetings for this applicant, and is in agreement with Comm. Kosla.

Comm. Worthington said that due to the “gateway” location of this business, she feels that one sign is sufficient for this business. She would agree to either the monument sign or the freestanding sign, but not both signs.

Comm. Briggs said she feels that one monument sign is sufficient. She said she was supportive of the use of the banners and pennants.

Comm. Kidd said she feels it is unfortunate that the signs were put up without permission. She feels that if the signs are in compliance, this application should be approved.

Comm. Elder stated that due to the apparent misunderstanding between the applicant and the landlord, this item should be continued to a later meeting to hear from both sides.

Comm. Merz said he may be supportive of this application if the signs were not put up in advance of the application. He feels that nothing that was agreed to in the original approval has been done.

The public hearing was re-opened.

Mr. Ray stated that he disagrees that nothing was done. He built the monument sign, removed the previous High Street sign and removed all the temporary banners. He’s trying to start a business in this community, and is trying to keep his business afloat. He’s asking for some help.

Comm. Merz **MOVED** to:

Direct staff to amend HDRC Resolution No. 07-10 for denial of the Historic Design Review application (File #HDR 07-9) until compliance with the original approval is reached.

Comm. Smith **SECONDED**.

Comm. Thompson stated that she is in favor of some kind of compromise to reach a resolution. She would like to have this item continued rather than denying it.

Comm. Merz asked what the goal would be for continuing the meeting.

Comm. Kidd said she feels that if the business owner and property owner come together at a meeting this could be resolved.

Comm. Kosla agrees with continuing this item. He would like for the applicant to remove the unapproved signage first and then come back with a finished application for the sign. He would like to have the property owner present to discuss the miscommunication that occurred. He would like to propose a counter-motion.

Director Wong suggested that a vote be taken for the motion to deny the application. If the motion is not approved, a new motion can be made.

There was discussion about the denial motion.

A vote was then taken on the motion to deny this item.

AYES: Smith, Worthington, Briggs, Chrm. Merz  
NOES: Kosla, Thompson, Kidd, Elder  
ABSTAIN: None  
ABSENT: None

This being a tie vote, the motion was not approved.

Comm. Kosla **MOVED** to:

Continue this item (File #HDR 07-9 and File #VA 07-4) to the Historic Design Review meeting of May 1, 2007 at which time the Commission would like the following:

- 1) That the applicant come prepared to discuss the possibility of encasing all of the pole within the monument sign.
- 2) That the applicant remove all of the unpermitted signage on the property.
- 3) That the property owners be present at the May 1, 2007 meeting.

Comm. Thompson **SECONDED**.

AYES: Kosla, Smith, Thompson, Worthington, Briggs, Kidd, Elder, Chrm. Merz

NOES: None  
ABSTAIN: None  
ABSENT: None

The motion was approved.

- C. **Historic Design Review Permit – 1222 High Street (Bolander Design) – File DRP 06-4.** The request is for a proposed 990 square foot detached storage building with a stucco exterior. The proposal also includes the removal of plywood siding on the existing building and replacing it with stucco to match the new storage building and new trellis structures.

Planner Geiger gave the staff report. The proposed building will be located behind the existing building. The size will be 22.5' x 44', and will comply with all required setbacks in the OB district. The body of the building will be tan colored stucco with brown stucco on top. Brick veneer will be added along the bottom portion of the north and west elevations, and will wrap around the corners of the south and east elevations. A dark green accent trim color will be added.

The applicant also proposes to remodel the exterior of the existing office building so that the materials will match the new materials. The existing siding will be removed and replaced with brown and tan stucco. A new wood trellis will be installed on the north elevation on both sides of the entrance. The trellis posts will have brick column bases to match the brick veneer on the building. The dark green trim color will also be added to the existing building.

According to the Design Guidelines, stucco is an appropriate material within the Downtown Design Review District. Staff believes the colors are neutral and consistent with design guidelines.

Staff was contacted by a neighbor who expressed concern about the proposed parking lot configuration because it would force traffic onto his property, located west of the applicant's. Currently there are two rows of parking stalls. The applicant had proposed for spaces 8 through 14 to be reversed and re-angled for a different traffic flow. The neighboring property owner had concerns about the reconfiguration. The plan was reviewed by Public Works and Planning staff and both departments have no concerns regarding either configuration. The applicant spoke to the neighbor, and is agreeable to leaving the parking configuration as it is now. Staff

recommends an amendment to Condition #5, which has been provided to the Commissioners tonight, and requires that the applicant return with a site/parking plan showing the parking stalls in the configuration as they exist now, subject to staff review and approval.

Comm. Worthington asked if the current parking stalls meet code as they are currently striped.

Planner Geiger answered that he is unsure. On the current configuration included in the application, the stalls are 9'x18' spaces which meets the code requirement. The new site plan should include stalls of that size.

Comm. Worthington disagrees about the proposed brick being consistent with the design guidelines because the design guidelines state that brick should not be light colored. The proposal appears to show a tan color, rather than a red brick color.

The public hearing was opened.

The applicant, Bud Bolander of Bolander Design, 922 Lincoln Way, Auburn stated that with regard to the brick, they are trying to match what exists on the building. They are having difficulty finding the exact same product. As far as the parking, they have revised the site plan to show the new configuration.

There were no comments for or against the project. The public hearing was closed.

Comm. Smith expressed concern about the new brick not matching the existing brick.

The public hearing was re-opened and Mr. Bolander returned to the podium.

Comm. Worthington asked him about whether he would be agreeable to using red brick on the entire building.

Mr. Bolander said the owner prefers not to use red brick. They prefer to match the existing brick. They would rather not remove all the masonry from the existing building and replace it all with a new feature. He asked if it would be better not to place any brick on the new addition.

Chairman Merz asked staff if there is any leeway in approving



the new brick product rather than requiring that the brick be exactly matched or entirely changed.

Director Wong replied that these are guidelines, and the applicant has a choice. He can choose to remove all the brick façade on the new building, or attempt to match the existing brick as closely as possible. He would have to provide a sample to staff prior to final approval.

Chrm. Merz stated that he thinks the proposed addition is a nice improvement, and the applicant is doing what he can to match the existing brick.

Comm. Kidd **MOVED** to:

Adopt Historic Design Review Commission Resolution No. 07-11 as modified by the Historic Design Review Commission to include an amendment to Condition #5 requiring that the applicant provide a new site and parking plan. The new site and parking plan will be subject to staff review and approval.

Comm. Briggs **SECONDED**.

AYES: Kosla, Smith, Thompson, Briggs, Kidd, Elder,  
Chrm. Merz  
NOES: Worthington  
ABSTAIN: None  
ABSENT: None

The motion was approved.

- D. **Design Review Permit and Tree Permit – 510 Nevada Street (Robinson Hilltop Development) – File DRP 06-2; TP 06-6.** The applicant requests approval of a Design Review Permit for the construction of a 13,293 square foot, two-story retail commercial building located at 510 Nevada Street and a Tree Permit for the removal of ±40 native oak trees and impacts to several remaining trees.

Planner Murray gave the staff report. The proposal is for a new retail center on the east side of Nevada Street, north of Signature Theatres. Currently the property includes four parcels. The property includes a single-family residence with a detached garage and an RV dealership. There is a dirt road connector that runs from the upper portion of the property to the lower portion. One of the conditions for this project requires a boundary line adjustment to reconfigure the parcel

boundaries so that they result in the placement of the RV dealership on the lower area and a separate property for this development. This leaves the property size for the proposed development at just under one acre.

The building will be approximately 13,000 square feet in size and be used for retail and commercial. A portion of the building is two stories. There will be two driveways, both located on Nevada Street. The development will involve some widening of Nevada Street, installation of curb, gutter and sidewalk which will include a separated sidewalk.

Staff has made a recommendation to reconfigure the sidewalk slightly to minimize the impact to some trees.

Planner Murray reviewed the traffic study, grading, retaining wall height, drainage, services, lighting, landscaping, and architectural plans. He talked about the tree permit and the parking lot configuration.

Comm. Kosla asked about the level of service, and the significance of the letters "A" through "F".

Planner Murray replied that level of service is a term used in traffic studies which relates to volume of traffic on the roadways. Different jurisdictions have different standards for what is acceptable. City of Auburn level of service standard is "D" throughout the City. When the City is looking at a project, they try to determine if the traffic created by the project might change the level of service from "D" to "E". Then the City would look at what could be done to mitigate that change to return the level of service to "D".

Comm. Smith asked when the City's level of service changed from "C" to "D". He expressed his concern with the additional traffic flow created by this project on Nevada Street.

Director Wong stated that traffic was discussed when the General Plan was updated on 1993. That level of service would become worse due to developments outside of the city.

Comm. Worthington asked why the number of proposed parking spaces exceeds the minimum requirement.

Planner Murray stated that generally with a restaurant planned in the building, additional parking is needed. It is not uncommon for an applicant to propose additional parking.

There was discussion about the number of parking spaces and the number of trees being removed.

Comm. Worthington asked if staff knows what the capacity of the existing street system is.

Planner Murray replied that staff does not know the capacity. However, with current traffic volume and the addition of this project the expected amount of traffic does not exceed the City's accepted standard of level of service "D".

Comm. Worthington expressed her desire for a review of what the traffic capacity is for the next Nevada Street project.

Paul Aronowitz, 1830 Vista del Lago, Auburn, who is one of the partners in the project came to the podium. He did not realize that there would be so many traffic questions or he would have asked the traffic experts to attend. They have agreed to mitigate for the traffic with payment of mitigation fees and by widening the road. Regarding the parking, he is a partner in several projects in Auburn, and he and his partners desire to create more parking spaces than the codes requires. They feel it is a good means of attracting new tenants. He explained the reason for the water line.

Comm. Kosla and Comm. Smith expressed their appreciation for the thoroughness of the information for this project.

Comm. Worthington requested that the water line be shown on the second page of the site plan. She asked how much water is expected to come out of the cross drain.

Mr. Aronowitz stated that this information can be included on the plans.

Comm. Worthington asked if the three soil samples mentioned in the landscaping plan can be added to the legend.

Mr. Aronowitz said yes.

Comm. Worthington stated that there are five species of plants shown on the landscaping plan that are known to do poorly in this area.

Mr. Aronowitz assured the Commission that this will be addressed because they are concerned about the survival of the landscaping and are interested in attracting tenants to the building.

Comm. Merz pointed out that the road widening will not help the traffic problem. He asked the applicant how many trees could be saved by reducing the parking spaces to the minimum requirement.

Mr. Aronowitz said he is unsure of the exact number, but he doesn't think it would be very many. He stated that the City standards for parking spaces are archaic. He believes they have saved as many trees as possible.

Councilman Keith Nesbitt, 10955 Sunrise Ridge Circle, Auburn asked if the picture of the property was included in the Commissioners' packets.

Chrm. Merz responded that it was included.

Mr. Nesbitt commented about the traffic study and trees.

Comm. Worthington pointed out that if two parking spaces are eliminated, 10 trees can be saved.

After a review of the plans, and discussion about this issue it was determined that to save that amount of trees would require eliminating more than two parking spaces.

Comm. Thompson **MOVED** to:

Adopt Planning Commission Resolution 07-7 for the Robinson Hilltop Development (Files # DRP 06-2; TP 06-6) as presented.

Comm. Kosla **SECONDED**.

AYES:	Kosla, Smith, Thompson, Worthington, Chrm. Merz
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was approved.

## **ITEM VII: COMMISSION BUSINESS**

- A. **Auburn Redevelopment Project** – The Auburn Urban Development Authority proposes to amend the Redevelopment Plan for the Auburn Redevelopment

Project by deleting from the Plan a parcel of land associated with the Creekside Business Park located on the north side of Blocker Drive.

Comm. Worthington abstained from participating in this item due to her residence being within the Redevelopment area, and left the room.

The GRC consultant, Paul Schowalter presented an update about the Redevelopment Plan to the Commission.

Comm. Kosla **MOVED** to:

Adopt Planning Commission Resolution #07-9 to amend the Redevelopment Plan for the Auburn Redevelopment Project by deleting from the Plan a parcel of land associated with the Creekside Business Park located on the north side of Blocker Drive.

Comm. Thompson **SECONDED**.

AYES: Kosla, Smith, Thompson,  
Chrm. Merz  
NOES: None  
ABSTAIN: Worthington  
ABSENT: None

The motion was approved.

- B. Zoning Interpretation (Schools in Commercial Zone Districts)** – The Planning Commission is asked to consider whether specialized educational uses, such as charter schools and Alternative Education Programs, should be permitted or conditionally permitted uses in the Commercial (C-1; C-2; and/or C-3) zone districts.

Planner Murray reported that currently the City Zoning Ordinance does not have provisions for certain educational use types in the commercial zone. There are other locations where educational uses for buildings or facilities that would be consistent for specialized educational use, such as charter schools, and the educational program through Placer County Office of Education is considering.

The Commercial zoning provides opportunities for these types of uses. The Commission has the ability to interpret the provisions of the Zoning chapter of the Auburn Municipal Code with relation to these types of special educational uses, and whether they should be allowed either by right, by use permit, or not at all.

Staff received an application from a Charter School, and one from the Placer County Office of Education for these types of specialized uses. Staff is requesting the Planning Commission's input.

Based upon staff's understanding of the uses in the commercial zone, and looking at some other jurisdictions, staff felt these types of uses would fall under review of the Use Permit. Staff's recommendation would be to conditionally allow these types of uses. Placer County Office of Education has a representative here to explain their program.

Comm. Worthington noted that the areas of Rocklin and Roseville which were shown in the staff report are experiencing very different enrollment numbers than in Auburn, therefore may not be a good comparison considering the declining enrollment in Auburn.

Director Wong explained that this is not the issue for this item, and further explained the purpose of the use permit.

Comm. Worthington stated that she is interested in whether a use permit for this type of special use is in the best interest of the community.

Planner Murray stated that declining enrollment really isn't the issue, but to have the City zoning code set up so that these types of uses can be accommodated if we so choose.

Comm. Worthington stated that they can locate in the "S" and "OSC" zones.

Planner Murray stated that this is correct, however there are very few "S" and "OSC" zones. This is not specifically for a charter school, but a specialized educational use. Each specific request would be reviewed individually.

Comm. Kosla asked if currently the option for this type of use would be to request a re-zone.

Planner Murray replied that they would need a re-zone or an amendment to the zoning ordinance.

Laura Battise with the Placer County Office of Education introduced herself. She described the program that they would like to put in at 383B Nevada Street versus a charter school. They need to find a replacement space for their current location which is scheduled to be demolished. The program is for alternative education for grades 7 through 12 involving referrals from Districts and the Probation Department for a maximum of 25 pupils. Under the Education Code this type of school cannot be located at an existing school site.

Comm. Smith expressed his concern that students might be allowed to loiter after classes.

Ms. Battise explained that the students will not be allowed to loiter.

Trish Pietrzak, 320 Forest Court, Auburn a teacher and educational consultant is a strong proponent of alternate education. She has opened six charter schools in northern California, however, she believes that if any changes are made at this time, it will negatively impact the Auburn Union School District. Therefore, she is not in favor of allowing charter schools to open at this time.

Chrm. Merz asked staff if it would be possible to separate charter schools from Auburn School District schools.

Planner Murray replied that he believes it would be possible if the ordinance was worded to state that charter schools are not to be included.

Ms. Battise spoke about competition between charter schools and school districts. She is concerned that a restricted determination would prevent the school district from providing necessary alternative education programs in the community.

Ms. Pietrzak stated that she is in favor of delaying the decision until the schools in the community are stronger.

The Commissioners and staff discussed this issue.

It was determined that no action will be taken on this item at this time.

**ITEM VIII: COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS**

- A. City Council Meetings  
No report.
- B. Future Planning Commission Meetings  
There may be a meeting on May 1, 2007.
- C. Future Historic Design Review Commission Meetings  
There will be a meeting on May 1, 2007.
- D. Reports  
None.

**ITEM IX: COMMISSION REPORTS**

Comm. Smith asked who reviews sign proposals on Auburn Folsom Rd.

Director Wong responded that signs for that area are not reviewed by the Commission, but by staff.

Director Wong explained the role of the Code Enforcement Officer. If Commissioners have an issue or complaint about a sign they should contact a planner via e-mail or telephone.

**ITEM X: ADJOURNMENT**

The meeting was adjourned at 9:33 p.m.

Respectfully submitted,

Susan Fraizer, Administrative Assistant